

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES TYRONE SMITH-EL,

Plaintiff,

v.

DEAN WHIPPLE, et al.,

Defendants.

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No. 4:14-CV-1915-RLW

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court upon its own motion. The Court will transfer this case to the United States District Court for the Western District of Missouri.

The named defendants are located in the Western District of Missouri, and according to the facts set forth in the complaint, most of the events giving rise to plaintiff's claims also occurred in the Western District of Missouri.

Under 28 U.S.C. § 1391(b), an action of this type may be brought only in: "(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action."

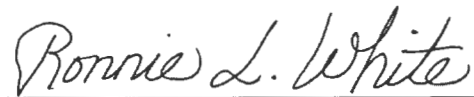
Because the defendants are located in the Western District, and because the events that gave rise to this case occurred in the Western District, venue is proper in the Western District of Missouri.

Under 28 U.S.C. § 1406(a), "The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." Because plaintiff is proceeding pro se, the Court finds that it is in the interest of justice to transfer this case to the United States District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. *See* 28 U.S.C. § 1406(a).

Dated this 20th day of November, 2014.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE